



## Parental Leave Policy

Version: 3

Date: 01/02/2025

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## Document Control

<b>Title</b>	Parental Leave Policy
<b>Supersedes</b>	2.0
<b>Owner</b>	Lisa-Marie Flynn
<b>Circulation/Distribution</b>	All Staff
<b>Review Period</b>	Annually

## Version History

<b>Next Review Date</b>		01/02/2026		
<b>Version</b>	<b>Date</b>	<b>Amendments</b>	<b>Author</b>	<b>Status</b>
0.1 to 0.4	Oct 2021 to Oct 2022	Initial Draft – Reviewed by the HR Team & the Trust Board.  Consultation Process – Draft shared with the working group consisting of Senior Leaders, HR, and the Trade Unions.	Lisa-Marie McGrath	Consulted & reviewed, and implemented agreed points
1.0	01/12/2022	Final Draft – Approved by the CEO and The Trust Board	Lisa-Marie McGrath	Approved
2.0	01/02/2024	N/A	Lisa-Marie Flynn	Approved
3.0	01/02/2025	N/A	Lisa-Marie Flynn	Approved

## Parental Leave Policy

### 1. ABOUT THIS POLICY

- 1.1 The law recognises, and we respect, that there will be occasions when working parents wish to take time off work to care for or spend time with their child or children.
- 1.2 This policy reflects the statutory right of employees with at least one year's continuous service to take up to 18 weeks of unpaid parental leave for each child.
- 1.3 This policy applies to employees. It does not apply to agency workers or self-employed contractors.
- 1.4 According to this policy, you will not be subjected to a detriment for taking or seeking parental leave.

### 2. PERSONNEL RESPONSIBLE FOR IMPLEMENTING THE POLICY

- 2.1 Our board of directors (the board) is responsible for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Accordingly, the Board has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the HR Manager.
- 2.2 Managers have a specific responsibility to ensure this policy's fair application, and all staff members are responsible for supporting colleagues and ensuring its success.

### 3. ENTITLEMENT TO PARENTAL LEAVE

- 3.1 Employees who meet the criteria set out below are entitled to take up to 18 weeks of parental leave in relation to each child for whom they are responsible.
- 3.2 To take a period of parental leave in relation to a child, you must:
  - have at least one year's continuous employment;
  - have or expect to have responsibility for the child; and
  - be taking the leave to spend time with or otherwise care for the child.
- 3.3 You have responsibility for a child if you:
  - are the child's biological mother or father (whether or not you are living with the child);
  - are the child's adoptive parents; or
  - otherwise have legal parental responsibility for the child, for example, if you are the child's guardian or a step-parent who has a parental responsibility agreement or parental responsibility order.

- 3.4 If you are responsible for bringing up a child who lives with you but do not have legal parental responsibility, we may give you parental leave under this policy at our discretion.
- 3.5 Any parental leave taken while working for another employer counts towards the 18-week entitlement. If you have taken parental leave during previous or concurrent employment, you should provide details to your Line Manager.

#### 4. TAKING PARENTAL LEAVE

- 4.1 You can take parental leave before the child's 18th birthday.
- 4.2 You may not take more than four weeks of parental leave each year in relation to each child. A year for this purpose begins on the date when you became entitled to take parental leave in relation to the child in question.
- 4.3 Parental leave must be taken in blocks of a whole week or a whole number of weeks unless the leave is to be taken in respect of a disabled child.
- 4.4 For the purposes of this policy, a disabled child means a child who is entitled to a disability living allowance, armed forces independence allowance, or personal independence payment.

#### 5. NOTIFICATION REQUIREMENTS

- 5.1 You must give your Line Manager/SLT notice of your intention to take parental leave. It would be helpful if you could give this notice in writing. The notice requirements are as follows:
- If you wish to take parental leave commencing immediately on the birth of a child, you must give notice of this intention at least 21 days before the start of the expected week of childbirth (**EWC**). The notice must specify the EWC and the duration of the required leave period.
  - If you wish to take parental leave commencing immediately on the adoption of a child, you should give notice of this intention at least 21 days before the start of the expected week of placement (**EWP**). If this is not possible, you must give as much notice as possible. The notice must specify the EWP and the duration of the required leave period.
  - In all other circumstances, you must give notice of your intention to take parental leave at least 21 days before you intend the leave to start. In addition, the notice must specify the dates on which the leave period begins and ends.
- 5.2 If you wish to take a period of parental leave immediately after a period of ordinary paternity leave, it would be helpful if you could give your Line Manager/SLT notice of that intention at least 21 days before the start of the EWC (or EWP, if applicable). If this is not possible, you should give as much notice as possible. For example, if you do not give notice at least seven days before your period of ordinary

paternity leave starts, we might not allow you to take the period of parental leave requested. However, we shall consider each case on its merits.

## 6. EVIDENCE OF ENTITLEMENT

6.1 Before you take a period of parental leave under this policy, we may ask to see evidence of:

- your responsibility or expected responsibility for the child, such as a birth certificate, adoption or matching certificate, parental responsibility agreement, or court order.
- the child's date of birth or date of adoption placement.

6.2 Please contact your Line Manager/SLT for details of what evidence is required in your particular circumstances or if you have difficulties obtaining the evidence.

## 7. OUR RIGHT TO POSTPONE PARENTAL LEAVE

7.1 Although we will always try to accommodate your request for parental leave, we might postpone a requested period of parental leave for up to six months where the requested leave would unduly disrupt our business, for example, where:

- you wish to take parental leave during a peak period;
- a number of employees wish to take leave at the same time;
- your work at that time is of importance to a time-critical project; or
- cover for your work cannot be found before the date on which your parental leave is due to start.

7.2 If we need to postpone your request for parental leave, we will consult with you about alternative dates. We will notify you in writing of the reason for the postponement, and the new start and end dates for your parental leave no more than seven days after receipt of your request for leave.

7.3 We will not postpone parental leave if you have requested it to start immediately on the birth or adoption of a child.

7.4 We will not postpone parental leave if the postponement results in the leave being taken after the child's 18th birthday.

## 8. TERMS AND CONDITIONS DURING PARENTAL LEAVE

8.1 Parental leave under this policy is unpaid. Therefore, your contractual provisions relating to pay and benefits are suspended during parental leave.

- 8.2 However, during parental leave, you are entitled to benefit from any terms and conditions in relation to being given notice, redundancy compensation, and disciplinary and grievance procedures. Holiday entitlement will continue to accrue.
- 8.3 During parental leave, you will remain bound by your obligation of good faith towards us, any contractual terms relating to the giving of notice, and any contractual restrictions on the disclosure of confidential information, the acceptance of gifts and benefits, or participation in another business (for example, by working for a third party).

## 9. PENSIONS

- 9.1 A period of parental leave under this policy will count towards your pensionable service if you are a member of a defined benefit (final salary) pension scheme.
- 9.2 If you are a member of a defined contribution (money purchase) pension scheme, we shall not make contributions during unpaid parental leave.

## 10. RETURNING TO WORK

- 10.1 You are normally entitled to return to work following parental leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.
- 10.2 However, if your parental leave has been longer than four weeks or has been combined with a period of additional maternity, paternity or adoption leave, it might not be possible in some cases for you to return to the same job. We will offer you a suitable and appropriate alternative position in such circumstances on no less favourable terms.
- 10.3 We will deal with any requests by employees to change their working patterns (such as working part-time) after parental leave on a case-by-case basis, in accordance with our Flexible Working Policy. We will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if flexible working requests are made as early as possible.

## 11. ABUSE OF THIS POLICY

An employee who takes a period of parental leave under this policy for purposes other than spending time with or otherwise caring for their child will be dealt with as a disciplinary issue under our Disciplinary Procedure.